**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

LETTERS PATENT APPEAL NO.184 OF 2005
ALONGWITH
LETTERS PATENT APPEAL NO.92 OF 2005
IN
WRIT PETITION NO.2699 OF 1993
ALONGWITH
CONTEMPT PETITION NO.9 OF 2005
AND
CONTEMPT PETITION NO.18 OF 2005

| Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
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Mrs.Seema Sarnaik for the appellant.
Mr.S.R.Nargolkar AGP for the State.

**CORAM: V.G.PALSHIKAR &**
**D.B.BHOSALE, JJ.**

**DATED: 12TH SEPTEMBER, 2005**

**P.C.**:

. These appeals are directed against the judgment delivered by the learned Single Judge of this Court obviously in exercise of its powers under Article 227 of the Constitution of India. The learned A.G.P. contended that this being the order under Article 226 and 227 of the Constitution the exercise of power can be addressed to Article 226 and, therefore, the appeal is maintainable. The position of law is well settled. The letters patent appeal

under clause 15 of the Bombay High Court, Appellate Side Rules is not maintainable where the order of this court is passed in pith and substance under Article 227 of the Constitution. Obviously while dealing with the Industrial dispute the power exercised by this Court is one under Article 227. The appeals are, therefore, not tenable. On that ground they are dismissed. Certified copy expedited. The contempt petitions be heard separately.

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